

L A W S of the State of N E W - Y O R K,

Passed at Poughkeepsie, in the first Meeting of the Sixth Session of the
LEGISLATURE.

C H A P. I.

An Act, relative to Debts due to Persons within the Enemy's Lines. Passed 12th July, 1782.

WHEREAS many of the Inhabitants of this State, who have not remained within the Enemy's Power, and who were indebted to others who did so remain, are now threatened with Suits, and have it not in their Power to recover from those who are indebted to them and remained within the Power of the Enemy;

Preamble.

Certain Suits for Debts stayed till further Provision by the Legislature.

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That all Suits and Prosecutions for any Debt, arising on simple Contract, Bills single or penal, or any other Obligation, Mortgage, Security or Demand whatsoever, due by or from any Person not within the Enemy's Power or Lines, that has remained with, gone in to, or has in Consequence of any Law of this State, been sent within the Enemy's Power or Lines, already commenced, or which hereafter may be commenced, shall be stayed until the Legislature shall make further Provision in the Premises, any Law to the Contrary notwithstanding.

Preamble. Reciting the Justice of giving Relief to certain Debtors.

And whereas it is also just and reasonable, that Provision should be made for the Relief of such Citizens of this State, who, having received in Payment of Debts due to them, paper Currency, which at the Time of such Payment, was a legal Tender, and which they might of Right, have paid in Discharge of any Debts due by them, but which it was not in their Power to pay to such of their Creditors as have remained with, gone in to, or were so sent within the Enemy's Lines; and which Money has, since the receipt thereof, depreciated in their Hands;

And whereas it is impossible to apply one general Rule, to all the Variety of Cases, which do or may arise;

Preamble.

After Suspension of Suits shall be taken off.

II. *Be it therefore further enacted by the Authority aforesaid,* That in every Suit or Prosecution which shall be commenced after the Legislature shall by Law have declared, that the Necessity of staying such Suits or Prosecutions as aforesaid does no longer exist, by any Person who may have remained with the Enemy, gone in to them, sent or to be sent as aforesaid unto them, against any Person who has remained without the Power of the Enemy, it shall and may be lawful for the Court in which such Suit shall be commenced or prosecuted; and the Court is hereby required, on Motion of the Defendant or his Attorney, to appoint three or five Referees, at the Option of the Court, to try the Matter in Controversy; and the Defendant shall, and hereby is allowed to plead before such Referees, any special Matter; and if it shall appear to the said Referees, or the major Part of them, that the special Matter alleged and proved by the Defendant, is of such a Nature, that in Equity and good Conscience, Abatement ought to be made from any Sum or Sums due by such Defendant, the Referees shall, by Majority of Voices, determine the Quantum of such Abatement; and having made their Report and Award, in writing, shall return the same into Court; And the Court shall thereupon give Judgment, and order Execution to issue in Favour of the Plaintiff, for the Sum so awarded to be due to the Plaintiff: *Provided,* That such Execution shall not be levied until the Expiration of three Years, next after the Enemy shall be expelled from, or shall have abandoned the City of New-York.

The Court to appoint Referees to try certain Matters in Controversy.

Referees reporting to the Court, Judgment to be given, and Execution to issue in Favour of the Plaintiff.

III. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for every Defendant, to pay in Discharge of any Debt so found due as aforesaid, to such Plaintiff as aforesaid, Certificates or Notes signed by any Commissioner of Loans of the United States, according to the Value thereof, as settled by the Continental Scale of Depreciation, or Certificates for Money due on Loan by this State, according to the Value thereof, ascertained by Law.

Certain Certificates payable in Discharge of certain Debts.

IV. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for any Person, now without the Power of the Enemy, being a Debtor to any Person now within the Power of the Enemy, at any Time after the Enemy shall be expelled from, or shall have abandoned the City of New-York, and that the Legislature shall have by Law, declared that such Suits as aforesaid shall be no longer stayed, to cite his Creditors before any Court of Law in this State, to have a Settlement, and make Payment agreeable to the Mode prescribed by this Act; and if the Creditors shall refuse to appear and come to Trial, within two Terms next after such Citation, he shall be, and hereby is declared to be barred and precluded from recovering his said Debt, Due or Demand, or any Part thereof.

When certain Debtors may cite their Creditors before any Court, to have a Settlement, &c.

Creditors refusing to appear, barred from recovering their Debts.

V. *Be it further enacted by the Authority aforesaid,* That any Subject or Subjects of this State, not in the Power or Lines of the Enemy, who are indebted by simple Contract, Bill single or penal, or any other Obligation, Mortgage, Security or Demand whatsoever, to any Person or Persons that have either remained with, gone in to, or have in Consequence of any Law of this State, been sent within the Enemy's Power or Lines, for such Subjects of this State, not in the Power or Lines of the Enemy, so indebted, shall be and hereby are discharged from any Interest which may have become due on such Contract, Bill, Obligation, Mortgage or Securities, since the first Day of January, One Thousand Seven Hundred and Seventy-Six, to the first Day of January, which shall follow next after the Conclusion of the present War; any Law, Usage or Custom, to the Contrary notwithstanding.

Debts from Subjects without the Power of the Enemy, to those within it, discharged from Interest from 1st Jan. 1776, to a certain Period after the End of the War.

Provided, That nothing in this Clause contained, shall be deemed to operate as a Discharge of any Interest which may have accrued on any such Bill, Obligation, Mortgage or other Security, executed since the said first Day of January, One Thousand Seven Hundred and Seventy-Six:

Proviso. Debts contracted since the 1st Jan. 1776, not discharged from Interest.

Provided nevertheless, That no Person or Persons shall be allowed the Benefit of this Act, unless he, she or they shall first have taken the Oath of Abjuration, and the Oath of Allegiance to this

Proviso. Shewing the Characters that are only

to be allowed the Benefit of this Act.

Proviso. This Act not to extend to Debts made for the Use of the State,

Nor to Prisoners.

Persons heretofore seized in Fee-Tail, deemed, in Future, to be seized in Fee-Simple.

How Inheritances are to descend.

1st. Where there is lawful Issue of equal Degree of Consanguinity.

2d. Where lawful Issue of different Degrees of Consanguinity.

3d. Where without lawful Issue, Brothers, &c. shall inherit.

4th. Where Nephews, &c. shall inherit.

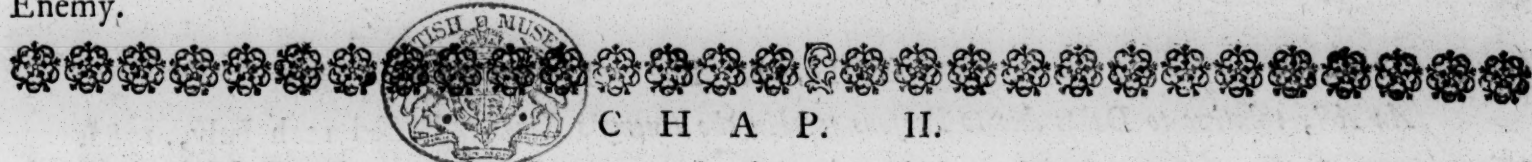
Proviso. In Favour of the Right of a Husband, or of a Wife.

Posthumous Children how to inherit.

How Estates for Years, for more than 21 Years, are to descend.

Mode of Conveyance hereafter.

State, and shall obtain a Certificate signed by two reputable and well-affected Freeholders of this State, one whereof, shall be a Judge of the Inferior Court of Common Pleas of the County in which the Person named in such Certificate shall reside, certifying that he or she is well attached to the Freedom and Independence of the United States of America, and have taken an active and decided Part therein: *And provided farther*, That this Act shall not extend to any Debt or Debts, contracted or made, or hereafter to be made, for the Use of the State, for the Payment of which the Faith thereof is pledged: *And also provided farther*, That nothing in this Act contained, shall be construed to extend to any Person that heretofore hath been, now is, or hereafter shall be a Prisoner with the Enemy.



An Act to abolish Entails, to confirm Conveyances by Tenants in Tail, to distribute Estates Real, of Intestates, to remedy defective Conveyances to joint Tenants, and directing the Mode of such Conveyances in future.
Passed 12th July, 1782.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That in all Cases wherein any Person or Persons would, if this Law had not been made, have been seized in Fee-Tail, of any Lands, Tenements or Hereditaments, such Person or Persons shall, in future, be deemed to be seized of the same in Fee-Simple. *And further*, That where any Lands, Tenements or Hereditaments, shall heretofore have been devised, granted, or otherwise conveyed by a Tenant in Tail, and the Person to whom such Devise, Grant or other Conveyance, shall have been made, his or her Heirs or Assigns, shall from the Time such Devise took effect, or from the Time such Grant or other Conveyance was made, to the Day of the passing of this Act, have been in the uninterrupted Possession of such Lands, Tenements or Hereditaments, and claiming and holding the same under Devise, Grant, or other Conveyance, then such Grant, Devise or other Conveyance, shall be deemed as good, legal and effectual, to all Intents, as if such Tenant in Tail, had, at the Time of the making of such Devise, Grant, or other Conveyance, been seized of such Lands, Tenements or Hereditaments, in Fee-Simple; any Law to the Contrary hereof notwithstanding.

II. *Be it enacted by the Authority aforesaid*, That where any person shall die, seized of any Lands, Tenements or Hereditaments, without having devised the same in due Form of Law, and leaving more than one Person lawful Issue, or without lawful Issue, the Inheritance, in stead of descending to the Heir at Law, shall hereafter, in the four several following Cases, descend as in each Case is particularly specified, that is to say:

First. In Case the Person so seized, shall leave several Persons lawful Issue, in the direct Line of lineal Descent, and all of equal Degree of Consanguinity, to the Person so seized; the Inheritance shall then descend to the said several Persons, as Tenants in Common, in equal Parts, however remote from the Person so seized, the common Degree of Consanguinity may be.

Secondly. In Case the said Person so seized, shall die, leaving lawful Issue of different Degrees of Consanguinity to him or her the said Person so seized; the Inheritance shall descend to the lawful immediate Children of the said Person so seized, as Tenants in Common, in equal Parts; and in Case any of the said immediate Children shall die, in the Life-time of the Person so seized, and leave lawful Issue, such Issue shall inherit; if one Person, solely; and if several Persons, as Tenants in Common in equal Parts, the same Estate which would have descended to his, her or their Parent, if such Parent had survived, so that the Estate could, agreeable to the Rules of Descent hereby established, have descended to him or her; and the same Law of Inheritance and Descent, shall be observed in Case of the Death of the Grand Children, and other Descendants in the remotest Degree.

Thirdly. In Case the said Person so seized, shall die without lawful Issue, leaving Brothers, or leaving a Brother or Brothers, and a Sister or Sisters, of the whole Blood, the Inheritance shall descend to such Brothers, or to such Brother or Brothers, and Sister or Sisters, as the Case may be, as Tenants in Common, in equal Parts.

And Fourthly. In Case any such Brother or Sister shall die, leaving a lawful Child or Children, and in the Life-time of the Person so seized; such Child or Children, shall inherit; if a Child, solely; and if Children, as Tenants in Common, in equal Parts, the same Estate, which would have descended to his, her or their Father or Mother, if such Father or Mother had survived the said Person so seized. And in all Cases of Descent, not particularly provided for by this Act, the common Law shall govern;

Provided, That nothing herein contained, shall be construed to bar or injure the Right or Estate of a Husband, as Tenant by the Courtesy of England; or the Right of Dower, which a Widow is entitled to.

III. *And be it further enacted by the Authority aforesaid*, That all Posthumous Children shall, in all Cases whatsoever, inherit in like Manner, as if they had been born in the Life-time of their respective Fathers.

IV. *And be it further enacted by the Authority aforesaid*, That all Estates for Years, for more than twenty-one Years, of or in Lands, Tenements, Hereditaments, or real Estate whatsoever, whether in Possession, Reversion or Remainder, by direct and immediate Devise or Conveyance, or by Settlement to Use or Uses, made after the first Day of the present Meeting of the Legislature, shall be, and hereby are declared to be *ipso facto* null and void, from the Beginning; and the Estates and Interests so severally and respectively attempted to be disposed of, and transferred, shall descend according to this Law, and the common Law aforesaid; any Law, Usage or Custom, to the Contrary notwithstanding.

V. *And be it further enacted by the Authority aforesaid*, That no Estate in joint Tenancy, in Lands, Messuages, Tenements or Hereditaments, shall be held or claimed, by or under any Grant, Devise, or Conveyance whatsoever, hereafter to be made, unless the Premises therein mentioned, shall expressly be thereby declared to pass, not in Tenancy in Common, but in joint Tenancy; and every such Estate, unless otherwise expressly declared as aforesaid, shall be deemed to be in Tenancy in Common; any Law, Usage or Custom, to the Contrary notwithstanding.

CHAP.

C H A P. III.

An Act further to continue the Treasurer of this State, in Office. Passed 20th July, 1782.

WHEREAS by the Act further continuing Gerard Bancker, Esq; Treasurer of this State, the Time of his Continuance in the said Office, was limited to sixty Days after the rising of the Legislature at their next Meeting;

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That the said Gerard Bancker shall be, and he is hereby further continued in Office, as Treasurer of this State, until sixty Days after the rising of the Legislature, at their next Meeting after the first Monday in July, which will be in the Year of our Lord, One Thousand Seven Hundred and Eighty-Four.

II. *And be it further enacted by the Authority aforesaid,* That the said Gerard Bancker, shall, on or before the last Day of August next, give such Security, and take such Oath as were directed and required by the second and third Clauses of the Act, entitled, "*An Act to appoint a Treasurer of this State,*" passed the first Day of April, in the Year of our Lord, One Thousand Seven Hundred and Seventy-Eight.

Preamble.

Treasurer continued till 1784.

Taking the Oath, and giving Security.

C H A P. IV.

An Act relative to the Commissioners to be appointed in Pursuance of the Act of Congress, of the 20th and 27th of February, 1782, for the Settlement of public Accounts within this State. Passed 20th July, 1782.

WHEREAS the United States in Congress assembled, on the 20th Day of February last past, did among other Things, resolve, That a Commissioner for each State, should be nominated by the Superintendent of the Finances of the United States, finally to settle the Accounts between the said United States, and the State for which he should be nominated; and that the Legislature, or the Executive of the particular State, for which the said Commissioner should be nominated, should approve of the same. *And whereas* the said United States in Congress assembled, on the 27th Day of February last past, did among other Things, resolve, That it be recommended to the several Legislatures of the States, to empower the Commissioners to be appointed for the Settlement of Accounts, under the Direction of the said Superintendent of Finance, in Pursuance of the said Act, to call for Witnesses, and examine them on Oath or Affirmation, touching such Accounts as should be respectively assigned to the said Commissioners for Settlement: In Compliance with the said Resolutions,

Preamble. Reciting a Resolution of Congress, as to Accounts.

Preamble.

The States required to empower the Commissioners appointed by Superintendent of Finance.

Commissioner for settling Continental Accounts, how appointed.

I. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That it shall and may be lawful for the Person administering the Government of this State for the Time being, to approve, or disapprove of any Commissioner or Commissioners, appointed or to be appointed, by the Superintendent of the Finances of the United States, to settle the Accounts between this State and the United States; and the Creditors of the United States within this State, agreeable to the said Resolution of Congress of the 20th of February last past.

II. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful, to and for each of the said Commissioners, appointed or to be appointed by the said Superintendent of the Finances of the United States, in Pursuance of the said several Resolutions of the 20th and 27th of February last past, to issue a Summons under his Hand, requiring any Person or Persons to appear before the said Commissioner as a Witness, to be examined on Oath or Affirmation; which Oath or Affirmation, the said Commissioners are hereby severally authorised to administer, touching such Accounts as are respectively assigned to them for Settlement; and if any Person so summoned, shall refuse or neglect to appear and be examined as aforesaid, without a reasonable Excuse, the Person so offending, shall forfeit for each Offence, the Sum of Five Pounds, to be recovered in a summary Way, with Costs of Suit, before any Justice of the Peace in the County wherein such Person may reside, and applied to the Use of the Person at whose Instance the Summons issued:

Authorised to require Persons to appear as Witnesses, and to examine them on Oath.

Penalty for neglecting or refusing to appear.

Provided always, That no Witness shall be obliged to attend, unless the Person at whose Instance he may be summoned, shall engage to pay him, at the Rate of Five Shillings per Day, for each Day he shall attend, and for as many Days as may be necessary to come from, and return to his Place of Abode; computing at the Rate of twenty Miles as equivalent to one Day.

Proviso. Witnesses to be allowed 5s. per Day.

C H A P. V.

An Act to authorise the United States in Congress assembled, to adjust the Proportions of this State, towards the Expences of the War, in a Mode different from that prescribed by the Articles of Confederation. Passed 22d July, 1782.

WHEREAS the Congress of the United States of America, did, by their Resolution of the 20th of February, 1782, amongst other Things therein contained, earnestly recommend to the several Legislatures of the respective States, without Delay, to authorise and empower the United States in Congress assembled, in the final Settlement of the Proportions to be borne by each State of the general Expences of the War, from the Commencement thereof until the first Day of January, 1782, except the Monies loaned to the United States, to assume and adopt such Principles, as from the particular Circumstances of the several States, at different Periods, may appear just and equitable, without being wholly confined to the Rule laid down in the eighth Article of the Confederation, in Cases where the same cannot be applied without manifest Injustice; *And whereas* this State is willing, and desirous to adopt every Measure conducive to the permanent Interest and Advantage of the United States;

Preamble: Reciting Resolution of Congress, requiring Power to settle the Proportion of the States, of the Expences of the War.

Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That the Congress of the United States, are hereby empowered and authorised, finally to adjust and settle the Proportions to be borne by this State, to-

Congress empowered to settle this State's Quota of Expences of the War, till 1st of January last.

A. D. 1782:
UNIT. and INDE. VII.

wards the general Expences of the War, from the Commencement of it until the first Day of January, in the Year One Thousand Seven Hundred and Eighty-Two, (except the Monies loaned to the United States) upon such Principles as may, in their Judgment, be just and equitable, the eighth Article of the Confederation of the United States, notwithstanding.

C H A P. VI.

An Act for levying a Tax within this State. Passed 22d July, 1782.

18,000l. to be raised.

Quotas :	
Albany	7920l.
Dutchess	4950
Ulster	2700
Orange	1845
Tryon	180
Westchester	315
Charlotte	90

	18,000l.

Duty of the Supervisor's Clerk.

Tax-List to be formed in 3 Weeks, agreeable to a former Assessment-Roll :

Form of Assessment-Roll, &c.

Supervisors Duty :

Assessors Duty :

Supervisor's & Justices Duty :

Collector's Duty.

Collection of Tax to be completed by the 20th September next.

Tax to be paid in Gold or Silver, or Bank Notes ;

And paid into the County and State Treasury,

Commissions for collecting first deducted.

How Assessment-Roll & Tax-List, to be made out.

Allowance to the Supervisors, Justices and Assessors.

Penalty on the Supervisor, Justice and Supervisor's Clerk.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That there shall be raised by Tax, and paid into the Treasury of this State, on or before the twentieth Day of September next, the Sum of Eighteen Thousand Pounds.

That the Quota of the County of Albany of the said Sum, shall be Seven Thousand Nine Hundred and Twenty Pounds ; the Quota of the County of Dutchess, Four Thousand Nine Hundred and Fifty Pounds ; the Quota of the County of Ulster, Two Thousand Seven Hundred Pounds ; the Quota of the County of Orange, One Thousand Eight Hundred and Forty-Five Pounds ; the Quota of the County of Tryon, One Hundred and Eighty Pounds ; the Quota of the County of Westchester, three Hundred and Fifteen Pounds ; and the Quota of the County of Charlotte, Ninety Pounds—That the Quota of each City, Town, Manor, District and Precinct, within the several Counties, of the said Sum of Eighteen Thousand Pounds, shall be in like Proportion thereto, as the Quota of such City, Town, Manor District and Precinct, of the Sum of Eighteen Thousand Pounds, directed to be raised on or before the first Day of June last, by the Act, entitled, "*An Act for raising the Sum of £. 18,000, and the further Sum of £. 18,000, by Tax within this State, and for settling public Accounts,*" passed the 11th Day of April last, shall be in Proportion to the said last mentioned Sum of Eighteen Thousand Pounds—That the Supervisor's Clerk, shall, forthwith after the passing of this Act, ascertain the Sum apportioned, to be raised in each City, Town, Manor, District and Precinct, in each County respectively, in Pursuance of this Act ; and cause the several Supervisors to be served with a Notice, in writing, of the Sum at which the Quota of their City, Town, Manor, District or Precinct respectively, shall be so ascertained. That in Case of the Death or Absence of any Supervisor or Supervisors, such Notice shall be served on any of the Assessors—That in Case the Assessors have already completed either of the Assessments, of the Sums to be assessed in Pursuance of the above mentioned Act, on the City, Town, Manor, District or Precinct, in the Mode prescribed in and by the said Act ; the Supervisor or Supervisors, or Justice of the Peace, whom, in Case of the Death or Absence of the Supervisor or Supervisors, the Assessors shall have notified, or shall hereafter notify for the Purpose, shall within three Weeks after the passing of this Act, form a Tax-List agreeable to the last Assessment-Roll, which has been made in Pursuance of the said Act.

That the Assessment-Roll and Tax-List, shall respectively be of the Form, and agreeable to the Plan contained in the Schedule hereunto annexed—That the Amount of the Monies inserted in the Tax-List, as and for the Tax to be paid by each respective Person, shall bear such Proportion to the Amount of the Sum at which such Person shall be assessed, as the whole Sum to be raised within the City, Town, Manor, District or Precinct, doth bear to the whole Amount of the Assessment thereof—That if neither of the Assessment-Rolls, directed to be made in and by the said Act, are completed on the first Day of August next, the Supervisor or Supervisors, or in Case of the Death or Absence of the Supervisor or Supervisors, such Assessor, on whom a Notice shall have been served as aforesaid, shall forthwith thereafter, convene the Assessors. That the Assessors, in Case no Assessments have been made as aforesaid, shall within three Weeks after the passing of this Act, proceed to form the Assessment-Roll, agreeable to the Mode prescribed in and by the Act, entitled, "*An Act for levying a Tax within this State,*" passed the 20th Day of November, 1781. That the Supervisor or Supervisors, or Justice, shall thereupon, within six Days after such Assessment-Roll shall be so completed, complete the Tax-List, in the Manner herein before prescribed and directed. That the Supervisor or Supervisors, or such Justice, shall within two Days after completing and signing the Tax-List, deliver the same to the Collector, who shall, on or before the said twentieth Day of September next, complete the Collection of the said Tax—That the Assessors shall and may exercise the like Power, and perform the same Duties, in forming and completing the Assessment-Roll, in delivering the same to the Supervisor or Supervisors, or to a Justice of the Peace, and notifying him for the Purpose, as they were authorized and directed to exercise and perform, in and by the last mentioned Act—That Gold and Silver ; Notes issued by the Honorable Robert Morris, Esquire, Superintendent of the Finances of the United States, for Gold or Silver ; Notes issued by the Directors of the Bank of the United States, for Gold or Silver, at the Value expressed on the same respectively, and no other Species of Money or Notes, shall be received in Payment for the said Taxes—That the Collector, in Case of Non-payment of the said Tax, shall and may levy the same by Distress and Sale, or recover the same, in the Manner prescribed by the last mentioned Act—That the Collectors and County Treasurers, shall pay the Monies and Notes arising from the said Tax, into the County Treasuries and Treasury of this State ; and be entitled to the like Allowances and Commissions, in like Manner as they were respectively directed to pay, and were entitled to, in and by the said last mentioned Act.

II. *And be it further enacted by the Authority aforesaid,* That the Supervisor, Supervisors or Justice, shall and may call special Town-Meetings for Elections ; cause an Assessment-Roll and Tax-List, to be fairly made out, sign the Tax-List, and cause the same to be delivered to the Collector or Collectors, and a Copy thereof filed with the Treasurer of the County, cause the Collectors to appear before him or them, and render Account, direct the Collectors, and report to the Treasurer of the County, in like Manner as is directed in and by the said last mentioned Act—That the Supervisors or such Justices of the Peace as aforesaid, and Assessors, shall each be allowed for their Services, at the same Rate, to be paid in the same Manner, as directed in and by the said last mentioned Act.

III. *And be it further enacted by the Authority aforesaid,* That if any Supervisor or Justice of the Peace, or Supervisor's Clerk, shall neglect or refuse to execute any of the Duties enjoined on them,

in and by this Act; the Person or Persons so offending, shall for each and every such Offence, forfeit the Sum of Twenty Pounds, to this State, to be recovered with Costs in a summary Manner before any Justice of the Peace of the County, in the Name of the Treasurer of the County; and such Justice shall, forthwith after hearing the Proofs and Allegations of the Parties, award Judgment and Execution thereupon; and such Monies, when recovered, shall be paid into the Treasury of the State—That if any Collector shall refuse or neglect to appear before the Supervisor or Supervisors of the City, Town, Manor, District or Precinct; or such Justice of the Peace as aforesaid, in the Manner herein before directed, when duly notified by writing, under his or their Hand or Hands; or if any Collector shall refuse to render an Account to the Supervisor or Supervisors; or such Justice of the Peace as aforesaid; or if the Assessors shall neglect to complete the Assessments within the Time in and by this Act limited and appointed; the Person or Persons so offending, shall for every such Offence, forfeit the Sum of Twenty Pounds, to be recovered with Costs in a summary Way, by the Treasurer of the County, in the Manner herein before directed; with respect to Supervisors, Supervisors' Clerks, and such Justices as aforesaid; and the said Monies, when recovered, shall be paid into the Treasury of this State—And it is hereby expressly made the Duty of the Supervisor, Supervisors and such Justice of the Peace, to report every such Offender, to the County Treasurer; and it is hereby also expressly made the Duty of the County Treasurers respectively, to commence and prosecute such Suits:

IV. *And be it further enacted by the Authority aforesaid,* That if any County Treasurer shall neglect or refuse to perform any of the Duties prescribed to him, in and by this Act, such County Treasurer shall, for each and every such Neglect or Refusal, forfeit the Sum of Fifty Pounds, to be recovered in a summary Way, with Costs, in the Name of the Treasurer of this State, before any Justice of the Peace, in the Mode herein before mentioned and prescribed, with respect to Supervisors, Supervisor's Clerks, and such Justices as aforesaid; and that such Penalty, when recovered, shall be paid into the Treasury of the State—That if any of the aforesaid Officers shall neglect or refuse to perform the Duties herein before mentioned, within the Times for that Purpose by this Act limited, and shall thereof be convicted as aforesaid, such Officer or Officers shall notwithstanding, perform the respective Duties by this Act directed; if a Collector, within ten Days; and if any other Officer, within five Days, after the Judgment against him for such Offence; and for every other Neglect or Non performance, be subject to the same Penalties as are herein before mentioned, to be recovered and applied in the same Manner as is herein before directed.

V. *And be it further enacted by the Authority aforesaid,* That the Treasurer of this State, is hereby authorized and directed to pay the Monies arising from the Tax to be levied by this Act, to the Commissioner of the Loan Office of this State, or to such other Person as shall be appointed by the said Superintendent of Finance, to receive the same within this State.

VI. *And be it further enacted by the Authority aforesaid,* That the Assessors shall not, in any Assessments to be made in Pursuance of this Act, include the Value of the Articles subjected to Taxation, by the "Act for the Appointment of Commissioners for procuring Monies on Loan, and Clothing for the Use of this State."

VII. *And be it further enacted by the Authority aforesaid,* That if any Collector shall advance or pay any Sum of Money, as and for the Tax of any Person whose Name shall be mentioned in the Tax-List delivered to such Collector; such Collector, his Executors or Administrators, shall and may, in an Action commenced for Monies advanced to the Use of such Person, his or her Testator or Intestate, recover the Monies so advanced, with Costs.

VIII. *And be it further enacted by the Authority aforesaid,* That his Excellency the Governor shall be, and he is hereby empowered to take on Loan, for the Use of this State, a Sum in Specie not exceeding Ten Thousand Pounds; and to pay the same into the Treasury of this State; and the Faith of this State is hereby pledged for the Payment of the same, within one Year after the Termination of the present War; together with the Interest thereof, at six per Centum per Annum; and also for the immediate Payment of all incidental Expences, attending the procuring and transporting the said Monies, at the Kitque of this State; And his Excellency the Governor, is hereby authorized to retain, and pay out of the Monies so to be taken on Loan, all the incidental Expences attending the procuring and transporting the same—That it shall and may be lawful for his Excellency the Governor, upon the Whole, or any Part of the said Monies coming into the Treasury of this State, by a Warrant or Warrants, under his Hand and the Privy Seal of this State, to direct the Treasurer of this State, to pay such Sum or Sums to the Commissioner of the Loan-Office of this State, or to the Superintendent of the Finances of the United States, or to such Person as he shall appoint to receive the same, as Part of the Quota assigned to this State, for the present Year.

IX. *And be it further enacted by the Authority aforesaid,* That the Sum of Ten Thousand Pounds, which his Excellency the Governor was authorized to take on Loan, by Virtue of the "Act for the Payment of certain contingent Expences of this State," Passed the 14th Day of April last, and which was appropriated to certain Purposes, the Necessity whereof appears to be now superseded, shall and may be applied by his said Excellency, to any Purposes which the Exigencies of the State may, in his Opinion, require,

And whereas the Inhabitants of the Counties of Tryon and Charlotte, and the United Districts of Duaneburgh and Schoharie, Balls-Town, Saratoga, and Cambridge in the County of Albany, have been so greatly harrassed by the Enemy, and are exposed to such frequent Calls on Military Duty, as to be rendered unable to pay any Taxes.

X. *Be it therefore enacted by the Authority aforesaid,* That the Counties of Tryon and Charlotte, and the United Districts of Duaneburgh and Schoharie, Balls-Town, Saratoga, and Cambridge in the County of Albany, shall be, and they are hereby respectively exempted from raising any Part of the Tax directed to be raised by this Act; and the Treasurer of the County of Albany, is hereby directed to credit the said County, with the Amount of such Sums as were respectively allotted to the said Districts, by the Supervisors, agreeable to the Tax-Law, passed the 11th Day of April last.

Clerk, for Neglect of Duty.

How to be recovered,

And paid into the Treasury of this State.

Collectors,

Or Assessors for Neglect of Duty herein, liable to a Penalty of 20l. to be paid into the Treasury.

Duty of Supervisor's, Justices, & County Treasurers.

County Treasurer, for Neglect of Duty herein, liable to a Penalty of 50l.

Other Officers convicted of Neglect, still obliged to perform the Duty; Collectors within 10 Days, & others within 5 Days.

Penalty on other Neglects, & how to be applied.

State-Treasurer to pay the Monies arising from this Tax, to the State Loan Officer, or the Superintendent of Finance.

Articles not subject to Taxation by this Act.

Collector advancing Money for the Tax of any Person in his List, may recover the same with Costs.

Gov. may take on Loan, and pay into the Treasury 10,000l. to be discharged by the State, with six per Cent. Interest.

Out of this Money, the Gov. to retain, and pay all Expences of procuring it; and may by his Warrants, under the Privy Seal, direct the Treasurer to pay it, or any Part of it, into the Hands of the State Loan Officer, or the Superintendent of Finance, as Part of the Quota of this State.

The Sum of 10,000l. which the Gov. was authorized to take on Loan by an Act of 14th April last, may be applied by his Excellency to any Purposes the Exigencies of the State may, in his Opinion require.

Preamble. Naming sundry Places, which having been much harrassed by the Enemy, & frequent calls to military Duty, are unable to pay Taxes;

And are therefore exempted from any Part of the Tax directed to be raised by this Act.

Treasurer directed to credit the County of Albany, for the Amount of Taxes allotted to sundry Districts therein, agreeable to the Tax-Law, passed the 11th of April last.

A. D. 1782.
UNIT. and INDE. VII.

SCHEDULE.

Assessment-Roll.

Persons assessed.	Real Estates.			Personal Estates.		
	£.	s.	d.	£.	s.	d.
A. B.	100	-	-	50	-	-

SCHEDULE.

Tax-List.

Persons assessed.	Assessment of real Estate.			Assessment of personal Estates.			Amount of Tax.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
A. B.	100	-	-	50	-	-	-	-	-

C H A P. VII.

An Act to prevent illicit Trade with the Enemy. Passed the 22d of July, 1782.

Contraband Goods de-
scribed.

And may be seized if
found in, or moving thro'
any Part of the State.

To be carried to, and
deposited with the nearest
Justice, who is to furnish
each Party with Inventory,
and appoint Time & Place
of Trial.

Either Party may claim
a Jury.

On Condemnation,
Goods to be sold, together
with Carriages, Horses,
Cattle and Vessels, used in
transporting them---One
Half to the Captors, the
other to the State.

Proviso. The Defend-
ant may have 20 Days to
prepare for Trial.

Persons legally possessed
of Goods made contraband
by this Act, may deposit
them with a Justice of the
County, or Supervisor, who
is enjoined to receive, and
give a Certificate for them,
and send a Duplicate there-
of to the County Treas-
urer. The Goods to be
safely kept, in Order to be
returned to the Owners,
as soon as the Legislature
shall direct.

On Oath of Suspicion
& Belief, that contraband
Goods are deposited in any
particular House, Vessel or
Place, Justice to issue his
Warrant to search such
suspected Place, and break
any Door where Admit-
tance is refused.

I. **B**E it enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That all Goods, Wares and Merchandize, of the Produce, Growth or Manufacture of Great-Britain, or of any Country or Territory thereon depending, and all other Goods, Wares and Merchandise, which may be imported into this or any of the other United States, in Vessels the Property of Subjects of the King of Great-Britain, or in any other Way, from Places within the Power of the Enemy, shall, if brought into any Part of this State, not in Possession of the Enemy, be considered as contraband, and as such be liable to Seizure and Condemnation; except such Goods, Wares and Merchandise, should be the Property of the United States, or of this State; or being the Property of an Inhabitant of some other State should be only passing through this State, without being directly or indirectly sold, bartered, or otherwise disposed of, or attempted to be disposed of within this State.

II. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful for any Person or Persons whatsoever, after the Expiration of twenty Days next after the passing of this Act, to seize and take all Goods, Wares and Merchandise, which he, she or they may find in, or moving through any Part of this State, and supposed to be contraband; and the same, together with the Person or Persons in whose Possession they may be found; and if practicable, together with the Carriages on which the same may be found, and the Horses or Cattle drawing such Carriages, or carrying such Goods; or the Vessel or Vessels in which the same may be found; to convey and bring before the next Justice of the Peace of the City or County, wherein such Seizure shall be made; who shall take Possession of the said Goods, Wares and Merchandises, and Carriages, Horses, Cattle and Vessels, employed in and about the Transportation of the same, and shall make and subscribe a particular Inventory thereof, and furnish each of the Parties with a true Copy thereof; and shall then, without Delay, appoint a Time and Place for the Trial of the same; in which Trial, the Captor or Captors shall be considered as Plaintiff or Plaintiffs, and the Person or Persons, in whose Possession the same were found, as Defendant or Defendants; and unless the Defendant or Defendants, shall make it appear, by Witnesses or otherwise, upon the Trial of the Cause by such Justice, or by a Jury, which shall be allowed either Party, if required, in like Manner as is allowed on other Causes before a Justice of the Peace, that such Goods, Wares and Merchandise, are not of the Produce, Growth or Manufacture of Great-Britain, or any of the Countries or Territories depending thereon; or if such Goods, Wares and Merchandise, are of the Produce, Growth or Manufacture of any other Country, that they were not imported into this, or any other of the United States, in Vessels the Property of Subjects of the King of Great-Britain, or in any other Way, from Places within the Power of the said King; or that such Goods, Wares and Merchandise are, by the Exceptions before-mentioned, not made liable to Condemnation; such Goods, Wares and Merchandise, shall be condemned, together with the Cattle, Horses, Carriages and Vessels, employed in or about the Transportation of the same; the one Half for the Use of the Captor or Captors, and the other Half to the Use of the People of this State; to be sold in like Manner as directed by the eighth Clause of this Act, and Partition of the Money made in like Manner;

Provided, That the Defendant or Defendants in such Case shall, if he, she or they require it, be allowed twenty Days, after the Effects so seized were deposited, to prepare for Trial.

III. *And be it further enacted by the Authority aforesaid,* That any Person or Persons possessed of Goods, Wares and Merchandise, made contraband by this Act, and which were legally imported into this State, may deliver the same, at his or her Option, either to a Justice of the Peace of the County, or to a Supervisor of any District, who are severally hereby required to receive the same, and to give to the Person or Persons depositing the same, a Certificate that he hath received from such Person or Persons, the Goods, Wares and Merchandise mentioned in the Invoice or Schedule to be annexed to such Certificate; and shall also transmit a Duplicate of such Certificate and Invoice to the Treasurer of the County; and the Goods so deposited, shall remain and be safely kept by the Justice of the Peace or Supervisor to whom the same shall have been delivered, for the Use of the Person or Persons depositing the same, so long as this Act shall continue in force, to prevent the Sale of British Goods within this State, or until the Legislature shall direct the same to be restored.

IV. *And be it further enacted by the Authority aforesaid,* That if after the Expiration of twenty Days next after the passing of this Act, any Person or Persons shall apply to a Justice of the Peace of any City or County within this State, for a Warrant to search for any Goods, Wares and Merchandise, made contraband by this Act, and shall make Oath that he or they suspect, and really believe that such Goods, Wares and Merchandises, by this Act declared to be contraband, are deposited or concealed in the Dwelling-house, Out-house, Barn, Stable, Store, Vessel, or in any other Place or Building whatsoever, belonging to, or occupied by any Person or Persons whatsoever; the said Justice, shall forthwith issue his Warrant, directed to a Constable of the County, requiring him to make diligent Search in such suspected Place or Places, to be mentioned in such Warrant, for contraband Goods, and to break open the Doors of any House, Out-house, Barn, Stable, Store, or Vessel, for the Purpose of making any such Search, if Admittance shall be refused; and that if he

shall upon such Search, find any Goods, suspected to be contraband, he shall before the Removal of such Goods, in the Presence of two reputable Freeholders, make and subscribe with his Name, a just Inventory of all the Goods by him seized, and deliver the same to the Possessor of the House, Out-House, Barn, Stable, Store or Vessel, where the same Goods were found and seized, and cause the same Goods to be brought before the said Justice, and to give Notice, by Advertisement to be fixed up at the Place where such Goods shall be found, that the Claimant or Claimants, forthwith appear before the said Justice, and support his, her or their Claim—That the said Constable shall execute such Warrant in the Day-time only, and shall take to his Assistance two reputable Freeholders of the City or County, and with them only, unless he meet with Opposition, execute the said Warrant; and if, by Virtue of any such Warrant, any such Goods shall be brought before such Justice, the said Justice, shall proceed either by himself, or with a Jury, if the Claimant or Claimants require it, to try if the same be contraband; and shall proceed in like Manner as is directed in the second enacting Clause of this Act:

Provided always, That if no Claimant appear within twenty Days after Notice given by Advertisement, as aforesaid, the said Justice shall give Judgment against the said Goods in Favour of the Complainant, one Half whereof shall go to the Complainant, and the other Half to the Use of the People of this State.

V. *And be it enacted by the Authority aforesaid,* That no Justice or Jury shall, by virtue of this Act, condemn the wearing Apparel or household Furniture of any Person or Persons whatsoever, or any Watches or Ornaments imported into this State, before the passing of this Act.

VI. *And be it further enacted by the Authority aforesaid,* That every Person who shall be convicted of directly or indirectly selling, bartering, or otherwise disposing of Goods, made contraband by this Act, after the Expiration of twenty Days after the passing thereof, shall be finable in five Times the Value of the Goods so sold, bartered or disposed of, to be recovered before any Justice of the Peace in a summary Way, by any Person or Persons making Complaint of such Sale, with Costs of Suit, one Half to the Complainant, and the other Half to the Use of the People of this State.

VII. *And be it further enacted by the Authority aforesaid,* That whenever in a Cause to be tried by Virtue of this Act, Judgment shall be given for the Defendant or Defendants, the Goods, Wares and Merchandises, together with the Horses, Cattle, Carriages and Vessels, employed in the Transportation of the same, shall be restored, and the Plaintiff or Plaintiffs shall pay all Fees, Costs, and other necessary and incidental Charges attending the seizing of the same: But where Goods, Wares and Merchandise, shall be condemned, the same, together with the Horses, Cattle, Carriages and Vessels, employed in the Transportation thereof shall be delivered to one of the Collectors in the County in which such Condemnation shall have been made; which Collector shall, under the Inspection of such Justice, sell the same at public Vendue; first giving at least eight Days Notice, by Advertisement to be fixed up in at least four public Places in such County, of the Time and Place of such Vendue:

Provided the Goods so to be sold, do not, in the Opinion of the Justice, exceed in Value the Sum of Fifty Pounds; and that where the Goods so to be sold, shall exceed the Sum of Fifty Pounds, the Collector appointed to sell the same shall, by Advertisement to be published in one of the News-papers printed in this State, give Notice of the Time and Place of such Sale; which Time, shall not be less than twenty Days after such Publication in the News-papers; and shall also by Advertisement to be put up in at least four public Places in the Town, Manor, District or Precinct, publish such Times and Places. That all Fees and incidental Charges of the Seizure, Trial, and Sale of the said Goods, Wares and Merchandises, shall be paid out of the Monies arising from such Sale or Sales, and the one Moiety of the Remainder of such Monies shall, by the said Collector, be paid to the Plaintiff or Plaintiffs, and the other Moiety to the Treasurer of the County in which the Seizure was made; to be by such Treasurer paid into the Treasury of this State, for the Use of the People of this State; And it shall be the Duty of the Justice, by Writing, to be by him signed, to inform the County Treasurer, of the Sum or Sums of Money which the said Collector shall have to pay to the said Treasurer, out of the Monies which shall arise from such Sale or Sales as aforesaid, and transmit a Duplicate thereof to the Treasurer of the State.

VIII. *And be it further enacted by the Authority aforesaid,* That any Justice or Jury may proceed to Trial, and award Judgment in any Case brought before them, or before any Jury, by Virtue of this Act, altho' the Value of the Goods, Wares, and Merchandise in Question, shall exceed the Sum of Ten Pounds; any Law to the Contrary notwithstanding.

IX. *And be it further enacted by the Authority aforesaid,* That in Case any Goods, Wares or Merchandise seized, or taken as contraband by Virtue of this Act, shall exceed the Sum of Fifty Pounds, lawful Money of this State, it shall be lawful for the Claimant or Claimants, to elect another Justice of the Peace of the County, where the Goods, Wares, or Merchandise shall be seized or taken; and the Justice, to whom Application for a Trial respecting the said Goods, Wares or Merchandise, so seized or taken, shall be made in the first Instance, together with the Justice elected by the Claimant or Claimants, shall elect another Justice of the County; and which said three Justices, shall associate for the said Trial. And further, that in the Case provided for by this Clause, the Trial shall, if the Claimant or Claimants shall request the same, be by twelve Jurors instead of six; and the said three Justices shall issue Process for summoning twenty-four instead of twelve Jurors:

Provided, That after Condemnation, it shall be lawful for the said Justice, to whom Application shall be so made in the first Instance, to proceed in all Things, and in like Manner as is herein before directed in Case of Trial before a single Justice: *Provided also,* if the Claimant or Claimants shall not elect another Justice, the Justice to whom the Complaint was made, shall proceed to Trial as if this Clause had not been enacted: *And provided also,* That if the Justice elected by the Claimant or Claimants, shall not be able to attend, the Claimant or Claimants shall elect another.

X. *And be it further enacted by the Authority aforesaid,* That it shall be lawful for the Justice, to whom Application shall be made for a Trial in the first Instance, and he is hereby required, on the Request of the Claimants, previous to any other Proceedings, to inquire of, and on his Oath of Office, adjudge the Value of the Goods, Wares, or Merchandise so seized or taken; and if he shall adjudge the same, exclusive of the Horses, Cattle, Teams or Vessels, transporting the same, to exceed the Value of Fifty Pounds, then the Trial respecting the same, shall be had before three Jus-

If suspected Goods are found; before Removal, Inventory to be taken and subscribed, in Presence of two reputable Freeholders, and delivered to the owners of the House, &c. The Goods then to be brought before the Justice, & Advertisement where they were seized, that the Claimant appear before the Justice, and support his Claim. Such Warrant to be executed in the Day-time, and in Presence of two (only) reputable Freeholders, unless Opposition be made. Trial to be as before directed.

Proviso. No Claimant appearing in 20 Days, after Advertisement, Goods to be condemned and sold as aforesaid.

No wearing Apparel, Household Furniture, Watches or Ornaments, imported before passing this Act, liable to Seizure.

Persons convicted of selling, or disposing of such contraband Goods, to be fined five Times their Value, recoverable with Costs, before a Justice—One Half to the Complainant, the other to the State.

On Judgment for the Defendant, the Horses, Cattle, Carriages & Vessels seized with the Goods, to be restored, & the Plaintiff to pay all Fees, Costs, and Charges attending the Seizure.

But where the seized Goods are condemned, they, together with Carriages, Horses, &c. to be delivered to one of the Collectors, who, under the Inspection of a Justice (after at least 8 Days public Notice) is to sell the same at Vendue.

Proviso. If the Goods exceed 50l. Value, Advertisement to be published in the News-papers, and set up in 4 public Places, 20 Days before the Sale. After deducting all incidental Charges, one Half the Net proceeds to be paid by the Collector to the Plaintiff, the other to the Treasurer of the State, who is to be informed in Writing signed by the Justice, of each Sum so to be paid by the Collector.

The Justice in such Cases, may award Judgment altho' the Value of the Goods, &c. exceed 10l.

But if the Value exceeds 50l. the Claimant may elect another Justice of the County, who, with the first, may elect a Third, which three, are to associate in the Trial; and if the Claimant requests it, the Matter is to be determined by 12 Jurors.

Provided, that after Condemnation, the Proceedings are to be by the first Justice, as before mentioned: Also, that he may try the Cause alone, unless the Claimant chooses another; and if he chooses one who does not attend, he may choose another.

The Justice first applied to, before all other Proceedings, to inquire, & on Oath adjudge the Value of the Goods seized, (exclusive of the Carriages, &c.) That if it exceeds 50l. the Trial may be before three Justices, and

If the Sum exceeds 50l. the Jurors are not to be returned from the Town, Manor District or Precinct, where the Seizure was made, but from one adjoining.

The Duty of Assessors & Supervisors, on their Oath of Office, to seize, take, and give Information of all Goods deemed contraband, within their Districts, &c.

Salt, Salt-petre, Powder and all West-India Goods, declared not contraband.

When the Gov. by Proclamation, declares, that the Enemy have evacuated the southern Part of this State, Part of this Act, to become void.

No Goods seized, condemned and sold by the Collectors, to be subject to Seizure and Condemnation afterwards, unless exposed to Sale or Barter.

tices, in Manner as in the last preceding Clause is directed. And to the End, that the Jurors may be wholly disinterested.

XI. *Be it further enacted by the Authority aforesaid*, That the Jurors for any Trial to be had in Pursuance of this Act, in all Cases where the Value of the Goods do exceed the Sum of Fifty Pounds, shall not come from the Town, Manor, District or Precinct, where the Seizure shall be made; but shall be returned from an adjoining Town, Manor, District or Precinct.

XII. *And be it further enacted by the Authority aforesaid*, That it shall be, and it is hereby expressly made the Duty of the Supervisors and Assessors, severally, in the respective Wards, Towns, Manors, Districts and Precincts, on their respective Oaths of Office, to seize, take, and give Information of all Goods, Wares, and Merchandise, deemed contraband in Consequence of this Act.

XIII. *And be it further enacted by the Authority aforesaid*, That Salt, Salt-petre, Powder, and all Goods, Wares and Merchandise, being of the Produce of the West-Indies, shall not be considered as contraband Goods, and shall not be subject to Condemnation; any Thing in this, or any other Act to the Contrary notwithstanding.

XIV. *And be it further enacted by the Authority aforesaid*, That whenever the Person administering the Government of this State shall, by Proclamation, declare that the Enemy have evacuated the southern Parts of this State, so much of this Act, as respects the Sale or Transportation of British Goods, or any other Goods imported in British Bottoms, and which may then be within the State, shall cease, and become void, as fully to all Intents and Purposes, as if the same had been repealed by express Act of the Legislature.

XV. *And be it further enacted by the Authority aforesaid*, That no Goods, Wares or Merchandises, which may be seized, condemned, and sold in Pursuance of this Act, shall be subject to Seizure or Condemnation after the Sale made by the Collector as aforesaid, unless such Goods, Wares and Merchandises, shall be exposed to Sale or Barter, after such Sale made by the Collector.



C H A P. VIII.

An Act farther to continue to the Person administering the Government of this State, the Power of appointing a Place for holding the Supreme Court. Passed 22d July, 1782.

Preamble.

Act of the 26th Feb. 1779, farther continued.

WHEREAS the Power by Law granted to the Person administering the Government of this State, of appointing a Place for holding the Supreme Court, expired on the first Day of April last, and no Provision hath since been made in the Premises;

Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same, That the Act, entitled, "*An Act to continue to the Person administering the Government of this State, the Power of appointing the Place for holding the Supreme Court*," and the Powers and Provisions therein, and thereby made & granted, are hereby revived; and are hereby declared to be, and shall be deemed to all Intents and Purposes, in full Force and Effect, as and from the said first Day of April last; and the said Powers and Provisions, are hereby farther continued, and shall be in full Force until the Legislature shall make farther Provision in the Premises.



C H A P. IX.

An Act to compel the Payment of the Arrearages of Taxes. Passed 24th July, 1782.

Preamble. As to Arrearages of Taxes.

Arrearages between 27th March, 1778, and 30th June, 1781, to be paid.

Persons in Possession of Tax-List, or their Executors, &c. to deliver them or Copies, by 1st of Dec. next, to the County Treasurer.

County Treasurer to determine the Arrears of Taxes due.

And make out Lists, agreeable to the Schedule annexed.

WHEREAS considerable Sums are due from the Subjects of this State, for Taxes imposed at different Periods; *And whereas* it is just and necessary, that such Persons who have neglected or refused to contribute their Proportions of the Taxes, requisite for the public Exigencies, should be compelled to pay the Arrearages of such Taxes;

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same*, That all Taxes due and in Arrear, in Consequence of any Act or Acts for raising Monies, passed from and after the 27th Day of March, 1778, and before the 30th Day of June, 1781, shall be paid by the Person or Persons on whom the same were originally assessed, in the Manner herein after mentioned; or in Case of the Death of such Person or Persons, such Taxes shall be paid by his, her, or their Heirs, Executors or Administrators.

II. *And be it further enacted by the Authority aforesaid*, That such Persons, who were Supervisors or Collectors of any Ward, Town, Manor, District or Precinct, since the said 27th Day of March, 1778, and in whose Hands or Possession, any of the Tax-Lists made in Pursuance of any Act or Acts for levying Monies by Tax as aforesaid, shall be; or if such Tax-Lists shall be in the Hands or Possession of the Executors or Administrators of such Supervisor or Collector, such Executors or Administrators shall, on or before the first Day of December next, deliver such Tax-List or a Copy thereof, to the Treasurer of the County—That the Collector or Collectors, his or their Executors or Administrators, shall, on such Tax-List by him or them delivered, distinguish the Monies paid by each respective Person, for his or her Tax, and answer such Questions relative to the same, on Oath or Affirmation, (which Oath or Affirmation, such Treasurer is hereby authorized to administer) as may be necessary to enable such Treasurer to determine what Part of the Monies mentioned in such Tax-List, has been paid by the Persons whose Names are contained in such Tax-List, and what Part still remains unpaid—That the Treasurer shall thereupon forthwith determine the Value of such Tax, at which each Person who has not paid, shall have been taxed in each of the said Tax-Lists, and make separate Lists for each Ward, Town, Manor, District or Precinct, containing the Names of the Persons taxed in such Ward, Town, Manor, District or Precinct; and who have not paid all the Sums assessed as aforesaid, and due from them, and the Amount of the Tax of such Persons which still remains unpaid; which List shall be made in the Form, and upon the Plan contained in the Schedule annexed to this Act.

III. *And be it further enacted by the Authority aforesaid,* That it shall and may be lawful, to and for the Treasurer of the County, as soon as such Lists shall be completed, to grant Warrants on the said Lists under his Hand, to the Collector or Collectors of the Ward, Town, Manor, District or Precinct, directing them respectively, to levy the Arrearages of the said Tax, and to return the same into the Treasury of the County, at a certain Day in the said Warrant expressed, not exceeding six Weeks from the Date of such Warrant; which List and Warrant, the Treasurer shall cause to be delivered to the Collector or Collectors of the Ward, Town, Manor, District or Precinct, immediately after such Warrant being granted. And that in Case the said Arrearages of Tax shall not be collected within the Time limited in and by such Warrant, it shall and may be lawful, if it shall appear to the Treasurer, by the Examination of one or more Witnesses, under Oath or Affirmation, (which Oath or Affirmation, such Treasurer is hereby authorised to administer) that the Collection of such Arrearages of Tax, was unavoidably delayed, to give such farther Time for the Collection thereof, not exceeding three Weeks, as to him shall appear necessary: That the Collector or Collectors, shall thereupon proceed to the Collection of the Arrearages of such Tax, and from Time to Time pay to the County Treasurer the Produce thereof, never retaining in his Hands, a Sum exceeding the Amount of Two Hundred Pounds—That if any Person so taxed, shall neglect or refuse to pay his or her Tax mentioned in such List, when thereunto required, the Collector shall levy the same, by Distress and Sale of the Goods and Chattels of the Person so refusing or neglecting—That where Distress and Sale shall be made in either of the Cases above-mentioned, the Overplus, after deducting the Charges of such Distress and Sale, shall be returned to the Person by Reason of the Neglect or Refusal of whom, such Distress and Sale shall be made—That for Want of Goods and Chattels whereon to levy the Tax, the Collector shall be, and he is hereby authorised and required to commence an Action in his own Name, before any Justice of the Peace of the County, where, at the Time of the Commencement of such Action, the Defendant shall happen to be; and if such Action shall be commenced against the Person taxed, upon proving the Warrant on such List to have been signed by the Treasurer; or if such Action shall be commenced against the Heirs, Executors, or Administrators of the Person taxed, upon proving the Warrant on the List to have been signed by the Treasurer, and that the Defendant or Defendants are the Heir or Heirs, Executor or Executors, or Administrator or Administrators of the Person taxed; which is hereby declared to be conclusive Evidence, to entitle the Plaintiff to recover; the Jury in such Case, if tried by a Jury, shall give a Verdict, and the Justice in every such Case, shall give Judgment for the Amount of the Sum at which the Defendant, or his, her or their Ancestor, Testator or Intestate, was taxed, with Costs: And the Authority and Jurisdiction of such Justice, is hereby extended to all such Actions, notwithstanding the Sum to be sued for, may exceed the Sum of Ten Pounds:

Provided always, That if such Heir or Heirs, Executor or Executors, Administrator or Administrators, shall prove, to the Satisfaction of the Justice or Jury, that no Assets to the Amount of the Tax, have come to his, her or their Hands, from his, her or their Ancestor, Testator or Intestate; in such Case, the Plaintiff shall only be entitled to recover the Amount of such Assets—That the Collectors shall be allowed, and are hereby authorised to retain in their Hands, out of the Taxes by them collected, a Poundage of Six-Pence in the Pound, in full Compensation for their Services in the Collection of the Taxes aforesaid—That the several County Treasurers, shall from Time to Time pay, and deliver to the Treasurer of this State, all Monies, Bills of Credit or Certificates, to be received in Payment of the Arrearages of the said Taxes, never retaining in their Possession respectively, a Sum exceeding the Amount of One Thousand Pounds. That the several County Treasurers shall be allowed, and are hereby authorised to retain the same in their Hands, out of the Taxes they shall receive from the Collectors, a Commission of Twelve Shillings for every Hundred Pounds, for their Services in receiving the said Taxes, and paying the same into the Treasury of this State, and performing all and every the Duties in and by this Act, enjoined on them.

IV. *And be it further enacted by the Authority aforesaid,* That the Value of the Arrearages of the said Taxes, shall be estimated by the Treasurer of the County, in the List to be made by him in Pursuance of this Act, at the Rates following, to wit: All such Sums as are due and in Arrear, on the Tax imposed by an Act, entitled, "*An Act for raising Monies, to be applied towards the public Exigencies of this State,*" passed the 28th Day of March, 1778, at and after the Rate of One Silver Spanish milled Dollar, for every Two Dollars and three Tenths of a Dollar, in Arrear on the said Tax—All such Sums as are due and in Arrear, on the Tax imposed by an Act, entitled, "*An Act for raising Monies by Tax, to be applied towards the public Exigencies of this State,*" passed the 2d Day of March, 1779, at and after the Rate of one Silver Spanish milled Dollar, for every twelve Dollars and two tenth Parts of a Dollar, in Arrear on the said Tax—All such Sums as are due and in Arrear, on the said Tax, imposed by an Act, entitled, "*An Act for raising the Sum of 2,500,000 Dollars by Tax, within this State,*" passed the 23d Day of October, 1779, at and after the Rate of one Silver Spanish milled Dollar, for every twenty-nine Dollars and three tenth Parts of a Dollar, in Arrear on the said Tax—All such Sums as are due and in Arrear, on the first Tax, imposed by an Act, entitled, "*An Act for raising the Sum of 5,000,000 of Dollars by Tax, within this State, and for other Purposes therein mentioned,*" passed the 6th Day of March, 1780, at and after the Rate of one Silver Spanish milled Dollar, for every Forty Dollars in Arrear, on the said Tax—All such Sums as are due and in Arrear, on the second Tax imposed by the said last mentioned Act, at and after the Rate of one Silver Spanish milled Dollar, for every Fifty-eight Dollars in Arrear, of the said Tax—All such Sums as are due and in Arrear, on the Taxes imposed by an Act, entitled, "*An Act approving of the Act of Congress of the 18th Day of March, 1780, relative to the Finances of the United States, and making Provision for redeeming the Proportion of this State, of the Bills of Credit to be emitted in Pursuance of the said Act of Congress,*" passed the 15th June, 1780, at and after the Rates following, to wit: Such Sums as are due on the first Payment, directed to be made in and by the said Act, between the first Day of July and the first Day of October, 1780, at and after the Rate of one Silver Spanish milled Dollar, for every Sixty-five Dollars in Arrear, on the said Tax—Such Sums as are due on the second Payment, directed to be made in and by the said Act, between the said first Day of October and the first Day of January, then next ensuing, at and after the Rate of one Spanish milled Dollar, for every Seventy-five Dollars in Arrear, of the said Tax—Such Sums as are due on the third Payment, directed to be made in and by the said Act, between the first Day of January aforesaid, and

And to grant Warrants to the Collectors.

Arrearages to be returned to the Treasury in six Weeks.

Treasurer to give longer Time, if necessary.

Collector not to retain more in his Hands, than 200l.

Distress and Sale in Case of Neglect or Refusal to pay.

For Want of Goods, &c. whereon to levy, the Collector to commence an Action before a Justice.

How the Justice is to give Judgment.

His Authority extended.

Proviso. Heirs, &c. proving no Assets to the Amount of the Tax, came to their Hands, to pay Amount of such Assets only.

Six-Pence Poundage for Collectors.

County Treasurers never to retain in their Hands, more than 1000l.

12s. per 100l. Commission to the Treasurers.

Value of Arrearages of Taxes how to be estimated.

On the Tax of March 28th, 1778, 1 Silver Dollar, for 2 & 3 10ths.

On the Tax of the 2d March, 1779, 1 Silver Dollar for 12 & 2 10ths.

On the Tax of 23d Oct. 1779, 1 for 29 & 3 10ths.

On 1st Tax of March 6, 1780, one for 40.

On 2d Tax of March 6, 1780, one for 58.

On Tax of 18th March, 1780, first Payment 1 for 65.

2d Payment 1 for 75.

3d Payment, 1 new Emission Dollar for 40.

A. D. 1782.
UNIT. and IND. VII.

Notes of the Financier,
and Bank;

Agent's Certificates,

Certificates for Horses,

Bills of Credit of the Co-
lony, the Provincial Con-
gress, or the Convention,

Treasury Certificates,

And Warrants,

Receivable in Payment
for the Arrearages of the
said Tax.

2cl. Forfeiture for Ne-
glect, &c. of Supervisor,
Assessor or Collector.

Proviso. In Favour of
the Collector, &c. having
a Tax List in Possession.

5cl. Forfeiture for Ne-
glect, &c. of the County
Treasurer.
To be recovered by the
State Treasurer.

Preamble.

Supervisors and Assessors
now in Office, to complete
certain Assessment-Rolls &
Tax-Lists.

Their Powers.

County Treasurer to as-
certain the Value of each
Person's Tax, &c.

6s. per Day allowed to
Supervisors and Assessors;
and how to be charged.

Supervisor, or Collector
neglecting, &c. to deliver
the Tax-List to County
Treasurer, to be committed
to Gaol.

Counties of Tryon and
Charlotte, and several Dis-
tricts of other Counties,
exempted from paying Ar-
rearages.

Supervisor's may allow a
farther Time for Col-
lection of a certain Tax.

and the first Day of April, 1781, at and after the Rate of one new Emission Dollar, issued by this State, in Pursuance of the Act of Congress of the 18th March, 1780, or of the Act of the Legislature of this State, passed the 27th March, 1781, for every Forty Dollars in Arrear, of the said Tax; and that no other Money, or any Certificate of any Kind whatsoever, shall be receivable for the Tax last mentioned.

V. *And be it further enacted by the Authority aforesaid,* That Gold and Silver, Notes issued by the Superintendent of Finance of the United States, for Gold or Silver; and Notes issued by the Directors of the Bank of the United States, for Gold or Silver; Certificates issued by the Agent of this State, in Pursuance of an Act, entitled, "*An Act to procure Supplies for the Use of the Army, and to prevent a Monopoly of Cattle within this State, and more effectually to prevent Supplies of Cattle to the Enemy,*" passed June 24th, 1780: For Specie, Certificates granted for Horses purchased by this State for the Use of the Army, in the Year One Thousand Seven Hundred and Eighty, for Specie, at and after the Rate of Eight Shillings in Silver, for every Dollar expressed, to be receivable by the Possessor of such Notes or Certificates; Bills of Credit, emitted on the Credit of the United States, previous to the 18th Day of March, 1780; Bills of Credit, emitted by the Authority of the late Colony of New-York, or by the Authority of any Provincial Congress of the said late Colony of New-York, or by the Convention of this State, at and after the Rate of One Hundred and Twenty-eight Dollars of the said Bills, for one Silver Spanish milled Dollar; Certificates issued by the Treasurer of this State, in Pursuance of an Act, entitled, "*An Act to provide for the Payment of certain Monies, taken on Loan by this State,*" at and after the Rate of Forty Dollars, for every Dollar of the said Tax; and Warrants, with Receipts thereon endorsed, given by Virtue of the Act, entitled, "*An Act to complete the Continental Battalions, raised under the Direction of this State,*" passed the 1st Day of July, 1780, at the Rate of One Dollar in Specie, for each Bushel of Wheat specified in such Warrant, shall be received in Payment for the Arrearages of the said Tax; and that such Certificates shall be received from the Possessors thereof, respectively.

VI. *And be it further enacted by the Authority aforesaid,* That if any Supervisor, Assessor or Collector, shall neglect or refuse to perform any of the Duties prescribed in and by this Act, such Supervisor, Assessor or Collector, shall for every such Neglect or Refusal, forfeit the Sum of Twenty Pounds, to be recovered before any Justice of the Peace in a summary Way, by the Treasurer of the County, in the Manner prescribed in and by an Act, entitled, "*An Act for levying a tax within this State,*" passed at this Present Meeting of the Legislature:

Provided always, That the Collector, or other Person or Persons, his or their Executors or Administrators, having a Tax-List in his or their Possession, shall not be subject to such Forfeiture for neglecting or refusing to return such Tax-Lists, to the Treasurers, or for refusing to Answer such Questions as shall be asked him or them, respecting the same, in the Manner herein before mentioned. And that if any County Treasurer, shall neglect or refuse to perform any of the Duties prescribed in and by this Act, such Treasurer shall for each and every such Neglect or Refusal, forfeit the Sum of Fifty Pounds, to be recovered before any Justice of the Peace in a summary Way, by the Treasurer of this State, in the Manner prescribed in and by the last mentioned Act.

And whereas, In some Instances, Assessment-Rolls or Tax-Lists have not been made in Pursuance, and agreeable to the Directions of the above mentioned Acts;

VII. *Be it therefore further enacted by the Authority aforesaid,* That whenever such Assessment-Rolls or tax-Lists, in and by any of the said Acts directed to be made, shall not be completed, the Assessors now in Office, shall proceed to complete the same, in the Mode respectively prescribed by the said Acts; and in completing such Assessment-Rolls and Tax-Lists, the Supervisors and Assessors shall be allowed the same Time, exercise the same Powers, and proceed in the same Manner, as are prescribed and directed in and by the said Acts, respectively; and the Supervisor or Supervisors shall, when such Assessment-Rolls and Tax-Lists are respectively completed, return the same to the County Treasurer; who shall proceed to ascertain the Value of each Person's Tax, and enter the same in the List to be made by him in the Manner prescribed and mentioned in and by this Act, with respect to Taxes heretofore imposed and assessed.

VIII. *And be it further enacted by the Authority aforesaid,* That the Supervisors and Assessors, shall be respectively allowed for their respective Services, for every Day they shall be actually severally employed in executing the Business by this Act committed to them, each the Sum of Six Shillings; which Wages shall be allowed and paid, as the contingent Charges of the County are allowed and paid, to be charged nevertheless to the Ward, Town, Manor, District or Precinct, in which the same shall respectively arise.

IX. *And be it further enacted by the Authority aforesaid,* That in Case any Supervisor or Collector, his Executors or Administrators, or any other Person or Persons, who may have a Tax-List or Tax-Lists, in their Possession, shall refuse or neglect to deliver such Tax-Lists to the Treasurer of the County, or shall refuse to answer any Question on Oath or Affirmation, of and concerning any Matter or Thing relative, to the said Tax-Lists, and Arrearages due thereon; such Treasurer shall by Warrant under his Hand and Seal, directed to any Constable of the County, cause such Person or Persons neglecting or refusing, to be Committed to the common Gaol of the County, there to remain until he or they shall deliver such Tax-Lists, or answer such Questions proposed to him as aforesaid, on Oath or Affirmation.

X. *And be it further enacted by the Authority aforesaid,* That all Arrearages of Taxes due from the Counties of Tryon and Charlotte; the United Districts of Duaneburgh and Schoharie, and the Districts of Saratoga, Cambridge and Balls-Town in the County of Albany; the Precincts of North-Castle and Manor of Philipburgh in the County of Westchester, and the Precinct of Mamekoting in the County Ulster, shall be, and the same are hereby remitted; any Thing in this or any other Act contained, to the Contrary notwithstanding.

XI. *And be it further enacted,* That the Supervisors of the respective Wards, Towns, Manors, Districts and Precincts, shall and may allow such further Time, for the Collectors of their respective Wards, Towns, Manors, Districts or Precincts, not exceeding Six Weeks, for the Collection of the Taxes imposed by an Act entitled, "*An Act for raising a Tax in Specie, and a Tax in paper Currency,*" passed the 30th Day of June, 1781; and the Treasurers, Supervisors and Collectors, shall have the like Powers; be subject to the like Penalties, and to be recovered in like Manner as are mentioned in the said Act—And in Order that the Legislature may be duly advised of any Arrears

due, upon the Taxes directed to be raised by Virtue of the Act, entitled, "*An Act for raising the Sum of £18,000, and the further Sum of £18,000, by Tax within this State, and for settling public Accounts,*" passed the 11th Day of April, 1782; and also of any Taxes which may be assessed by Virtue of an Act, entitled, "*An Act for levying a Tax within this State,*" passed at this present Meeting of the Legislature;

XII. *Be it enacted by the Authority aforesaid,* That the respective County Treasurers be, and they are hereby respectively required to lay before the Legislature, at their first Meeting, which shall be after the first Day of December next, a true Copy of all the Tax-Lists which may be made in the respective Cities, Towns, Manors, Districts and Precincts; in their respective Counties, with an Account of all Taxes which may then be in Arrear on such Tax-Lists:

Preamble. As to Arrears due on the two last Tax Laws.

The County Treasurers are to lay before the Legislature, a Copy of the Tax-Lists, with the Arrearages.

SCHEDULE to the Act for compelling the Payment of the Arrearages of Taxes.

	2 & 3 10ths for 1, on the Act March 28, 1778.	12 & 2 10ths for 1, on Act 2 March, 1779.	29 & 3 10ths on Act 23d October, 1779.	40 for 1 on 1st Payt. on Act March 6th, 1780.	58 for 1, 2d Payt. on Act 6th March, 1780.	65 for 1 on 1st Payt. on Act 15th of June, 1780.	75 for 1 on 2d Payt. on Act 15th of June, 1780.	Total in Specie, or Specie Certificates.	40 for 1, on 3d Payt. on Act 15th of June, 1780, new Emisn.							
Person's Names.	AMOUNT in Continental Dollars.	In Specie.	In Continental Dols.	In Specie.	In Continental Dols.	In Specie.	In Continental Dols.	In Specie.	In Continental Dols.	In Specie.	In Continental Dols.	In Specie.	£.	s.	d.	Dollars.

C H A P. X.

An Act to provide Forage for the Use of the Army. Passed 24th July 1782

WHEREAS there remains a Sum unappropriated, of the Monies to be raised by Virtue of an Act, entitled, "*An Act for raising the Sum of £.18,000, and the farther Sum of £.18,000, by Tax within this State, and for Settling public Accounts,*" passed the 11th Day of April, 1782;

And whereas, Application hath been made to this State, by the Commander in Chief of the Army of the United States, for an Aid in Forage;

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That the Sum of Six Thousand Pounds, out of the Monies so unappropriated, shall, by the Treasurer of this State, whenever the same, or any Part thereof shall come into his Hands, be paid unto Udny Hay, Esq; Agent for this State, to be laid out in the Purchase of such Forage, and procuring such Pasturage, as the Quarter-Master General of the Army of the United States shall require: And that if by Accident, the said Fund should be found incompetent, and a Deficiency arise, it shall and may be lawful for the Treasurer of the State, to make good such Deficiency, out of any Monies which his Excellency the Governor was authorised to take on Loan, by Virtue of an Act, entitled, "*An Act for the Payment of certain contingent Expenses of this State,*" passed the 14th Day of April last past; and that if there should be a Deficiency after the Monies arising from the said Funds, are applied to the Payment of the said Sum, it shall and may be lawful for the Treasurer of this State, and he is hereby required to make good such Deficiency, out of any Monies which may come into his Hands, by Virtue of the Act, entitled, "*An Act to compel the Payment of the Arrearages of Taxes,*" passed this present Meeting.

II. *And be it further enacted by the Authority aforesaid,* That the said Udny Hay, Esq; shall purchase such Forage, and procure such Pasturage, at such Places as the Quarter-Master General shall direct, and deliver the same at the Places where the same shall be purchased or procured, to such Person or Persons as the Quarter-Master General shall appoint to receive the same; and such Forage and Pasturage, shall immediately after its being purchased and procured, be at the Risk of the United States, until the same is delivered as aforesaid:

Provided always, That no such Forage shall be purchased, or Pasturage procured on Account of this State, until the Quarter-Master-General shall have covenanted with the said Udny Hay, to pay for the same in Specie, or Notes issued, or to be issued by the Superintendent of the Finances of the United States, on or before the first Day February next; and if the said Superintendent shall signify to his Excellency the Governor, that he will credit this State with the Amount of such Forage and Pasturage, the said Covenant shall thenceforth become null and void.

C H A P. XI.

An Act to prevent Grants or Locations of the Lands therein mentioned. Passed 25th July, 1782.

WHEREAS Congress have by several of their Acts, declared that certain Quantities of Land should, at the Termination of the present War with Great-Britain, be granted to the Persons respectively described in such Acts, Officers and Soldiers in the Army of the United States;

And whereas the Legislature of this State are inclined to make Provision to carry into Effect, the said Acts of Congress at a future Day, so far as they respect Officers and Soldiers in the Army of the United States, who have a Right to such Grants from this State;

I. *Be it therefore enacted by the People of the State of New-York, represented in Senate and Assembly, and it is hereby enacted by the Authority of the same,* That all the Lands situate, lying, and being in the County of Tryon, bounded on the North by Lake Ontario, the Onondago River, and the Oneida Lake; on the West by a Line drawn from the Mouth of the Great Sodus or Asorodus Creek, thro' the most westerly Inclination of the Seneca Lake; on the South by an East and West Line, drawn thro' the most southerly Inclination of the Seneca Lake; and on the East by a Line drawn from the most westerly Boundary of the Oneida or Tuscarora Country, on the Oneida Lake, thro' the most westerly Inclination of the west Bounds of the Oneida or Tuscarora Country; shall be, and the same is hereby declared to be set apart, and assigned for the Purpose of making Grants to Major-Generals and Brigadier-Generals, who at the Time of their entering into the Service, were Inhabitants of this

Preamble. As to Lands for the Army.

Preamble. Setting forth the Inclination of this State to grant Lands to the Army.

Certain Lands set apart for the Use of the Troops.

6000l. of the unappropriated Money, to go to the procuring Forage and Pasturage.

Other Expedients.

State-Agent's Duty, in procuring Forage and Pasturage.

Forage, &c. when procured, to be at the Risk of the United States.

Proviso. Certain Conditions previous to the procuring Forage.

UNIT. and INDE. VII.

Surveyor-General inhibited from accepting Locations on the said Lands, except for certain Certificates, &c.

Further inhibited from accepting Locations.

To receive Locations for Land equal to 2 Townships, 7 Miles square each.

To refuse Certificates for Lands located under certain Circumstances.

Proviso. Allowing Surveyor-General to pass Certificates for any Lands of the 6 Nations of Indians, the Oneida and Tuscarora excepted.

Proviso. In Favour of certain prior Locations, With an Exception.

Preamble. Setting forth Fears and Uneasiness in King's District, with the Cause thereof.

Right, Title, &c. of Persons to unpatented Lands in King's District, shall not be impeached, &c.

Preamble. Setting forth the Petition of Wardens and Vestry, &c. of 2 certain Churches, with a Farm,

And a House.

Said House & Farm not to be disposed of till further Order of the Legislature.

State, and to the Troops of this State, serving in the Army of the United States, and their legal Representatives, agreeable to any Acts of Congress heretofore published and declared, or any Law or Laws hereafter to be passed by the Legislature of this State; and to such other Persons as the Legislature may hereafter deem it necessary to provide for, by Gratuities in Land, on Account of their military Services in the Army of the United States—And the Surveyor-General for the Time Being, shall be, and he is hereby strictly inhibited from receiving and accepting of any Locations on any Part of the Lands so set apart, except for Certificates lodged in his Office, before the passing of this Act; and excepting out of the said Tract so set apart, a certain Tract of Land within the Bounds following, to wit; Beginning at the Mouth of a Brook or small River, which empties into the East Side of the River proceeding from the Cayuga Lake, being known by the Name of Teyagokaryen, and running thence southerly along the north-easterly Bank thereof, to a Ford at the North End of the Pond or Lake, called and known by the Name of Wasko; thence South-west to the Cayuga Lake; thence northerly along the Bank of said Lake, to Teyagokaryen, the Stream first above-mentioned: And the Surveyor-General is hereby also strictly inhibited, from receiving and accepting of any Locations on any Part of the Lands contained in the Tract last described.

II. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful for the Surveyor-General, to receive Locations in that Part of the Tract by this Act set apart, for the Use of the Troops of this State, serving in the Army of the United States, for a Quantity of Land equivalent to two Townships of seven Miles square each, in that Part of the Tract so set apart; which between the Seneca and Cayuga Lakes, and adjoining to any Locations heretofore made.

III. *And be it further enacted by the Authority aforesaid*, That it shall and may be lawful, to and for the Surveyor-General; and he is hereby required to refuse Certificates to any Person or Persons, who already have, or hereafter shall locate any Lands, which, at the Time of such Location, were actually occupied and possessed by any Person or Persons, Subjects of this State; or which have been in the actual Possession and Improvement of any Person or Persons, Subjects of this State, since the Commencement of the present War with Great-Britain; or which were heretofore, when this State was a Colony, reserved and applied for public Uses; any Thing in any Law of this State, to the Contrary notwithstanding;

Provided always, That nothing in this Clause contained, shall be taken or deemed to inhibit the said Surveyor-General, from passing Certificates for any Lands located or to be located; and which now are, or heretofore were possessed and occupied by any of the Six Nations of Indians, the Oneida and Tuscarora's excepted: *Provided also*, That the Surveyor-General shall not refuse any Certificates to Persons who have located Lands, which they were authorised by Law to locate; and which they themselves occupy and possess, except for such Lands before mentioned, which were heretofore reserved and applied for public Uses.

And whereas it has been represented to the Legislature, that Fears and Uneasiness prevail among the Inhabitants of King's District, in the County of Albany, by Reason of Suggestions and Pretences by other Persons, that the Whole or Part of the Lands comprised within the said District are still vacant, as having never been granted: For removing such Fears and Uneasiness,

IV. *Be it enacted by the Authority aforesaid*, That the Estate, Right, Title, or Interest of any Person or Persons of, in, or to any Lands within the said District, and not within any Grant or Patent made or issued under the Great Seal of this State, while the same, as the Colony of New-York, was subject to the Crown of great Britain, shall not in any Wise be impeached, questioned or injured, by Reason or Colour that such Lands were not heretofore in due Form of Law, granted in Fee simple by the Government of this State, while the same was a Colony of New-York; or since the Declaration of the Independence thereof.

And whereas, the Wardens and Vestry of the two Churches at the High-lands and Pecks-Kill, with sundry Inhabitants of Cortlandt's Manor, by their Memorial, presented to the Legislature of this State, represented that in the Year One Thousand Seven Hundred and Seventy-Two, Beverly Robinson and Susannah, his Wife, tendered to convey to the said Wardens and Vestry, the Farm then in Possession of Ebenezer Jones, near Continental Village, containing two Hundred Acres, for the Purpose of a Parsonage and Glebe—That the Memorialists, in Consequence of such Tender, purchased the Improvements of the said Ebenezer Jones, and proceeded to build the House now on said farm, called the Yellow House, That they were in Possession of the said Farm and House, until the Service of the Country demanded them to yield the same for public Uses,

V. *Be it enacted by the Authority aforesaid*, That it shall not be lawful for the Commissioners of Forfeitures, of the Middle-District of this State, to sell or dispose of the said House and Farm; nor the Commissioners of Sequestration to lett or demise the same, until the Legislature shall specially order the same; and that the said Wardens and Vestry, shall and may occupy, possess, and enjoy the said Premises, until such further Order shall be made.

End of the Acts of the first Meeting of the SIXTH SESSION.



21 JY 60

Legal
Law
as the
unt of
Time
ations
e pas-
within
mpties
me of
ord at
thwest
stream
eiving
ed.
e Sur-
Jfe of
eqbi-
which

to and
ersons,
were
n have
State,
when
f this

bit the
which
Onei-
Certifi-
which
tofore

among
d Pre-
istrict

y Per
Patent
York,
r inju-
in Fee
nce the

s-Kill,
ture of
everly
n then
e Pur-
chased
l farm,
ne Ser-

ners of
Farm;
speci-
s, and